Husband's Name: **GILBERT MALSBURY**

Born:	27 December 1779	Burlington County, NJ
Married:	9 January 1798	Monmouth County, NJ
Died:	before 26 February 1814	New Hanover Township, Burlington County, NJ
Buried:		

Father: JOB MALSBURY (13 July 1751 – 31 March 1809)
Mother: RACHEL RANIER (? – 22 September 1842)

Wife's Name: **SARAH BURGESS**

Born:
Died: before 1841
Buried: unknown

Father:
Mother:

Issue:	Born:	Where:
1. **PHOEBE MALSBURY**	**25 May 1798**	**Burlington County, NJ**
2. WILLIAM G. MALSBURY	c1799	
3. ALICE MALSBURY	>1800	
4. THOMAS MALSBURY	>1800	
5. ABIGAIL MALSBURY	>1800	
6. SARAH MALSBURY	>1800	

GILBERT *MALSBY* and SARAH BURGESS were married on 9 January 1798 in Monmouth County by John Antrim, J.P.[1] In later records SARAH spells the surname as MALSBURY. They were living in Upper Freehold Township by 1802 near *the head of the branches of Mirey run called tarrkiln branch* according to the Surveyors Return wherein GILBERT *MAULSBURY* is noted as the *owner of adjoining land*.[2] This description is problematic inasmuch as Upper Freehold Township in 1802 included, approximately, what is covered today by not only the township as it is but also the western half of Millstone Township as well as almost all of Plumsted Township, the southern most part became part of Manchester Township; and the western third of Jackson Township, of which the southernmost part, likewise, was incorporated into Manchester Township. Adding to this confusion is the fact that the waterways were not always described in a consistent manner as far as names and origins are concerned. On old maps, Miry run comes off Assunpink Creek and flows in a southeasterly direction north of Hamilton Square, through Robbinsville Township and into Upper Freehold Township at New Canton, formerly Cabbagetown, and across Upper Freehold Township into Jackson Township, then Freehold Township, flowing west of VanHiseville. The *Tarr Kiln branch* probably was the one used by the *GIBB'S Tar Kiln*, described as *old* in 1802, as found in other deeds.[3] In that record, the Tar Kiln itself lies about 200' southeast from *the south side of the main North Branch of Toms river*, some 650' below *MURRAY'S big Bridge,* placing it a mile or so west of the Miry run branch near VanHiseville. The

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waterway to the kiln is not actually named but the name they carry usually refers to something and a logical conclusion is that the Old Tar Kiln Branch runs to the old tar kiln. The *main North Branch* of Toms River runs through Jackson Township on a northwest-to-southeast diagonal, passing by or through Holmansville, Cassville, and Francis Mills though this portion is named as the *Long Swamp branch* on some maps. Not surprisingly, the grantee in the deed describing the *old Gibbs tar kiln* was WILLIAM HOLMAN who lived near Holmansville. A tar kiln produced pitch, tar, rosin, and kerosene through a slow burn process of pitch pine trees. The quality of the wood made in good for shipbuilding. Pitch pines account for the majority of the trees in the Pine Barrens and before colonization, they grew throughout the whole northeast and down into Georgia. The kiln was basically a big hole in the ground in which felled trees would be covered and burned for the products. The British Navy placed a premium on these products in desperate times as the quality of the product was not up to their standards by merchant shipping used it and Parliament enacted legislation that fined any colonist who burned wood that had been designated for tar production in 1704. Tar and kerosene accounted for about 15% of the total cost of goods imported by England from the colonies in the first quarter of the 18th century.

On 17 December 1807 GILBERT MALSBURY, of Lower Freehold Township, bought 3.6 acres in that township for $6.00 from JOSEPH and *PERMELIA* KARR.[4] This was part of a 59.3 acre tract they purchased on the last day of 1806 and was located close to a 59+ acre tract owned by JOSEPH and SAMUEL KARR. What became of this tract has not yet been uncovered.

GILBERT MALSBURY, with JOSEPH IMLAY and HENRY MORE, witnessed the signing of the last Will and Testament of the widow SARAH JOHNSON of Upper Freehold Township on 15 December 1810. He also signed the inventory of the estate on 15 March 1811. The will was proven 16 April 1811.[5]

GILBERT died before 26 February 1814 *in New Hanover Township* and by 5 May of that year SARAH was living in Freehold Township on a parcel of land *at the head of the tarrkiln branch* that was owned by JOHN DEBOW since 1802. The extensive inventory below is that which is required to operate a farm much larger than the 3.6 acres bought in 1807. They lived on a farm of over 100 acres when GILBERT died that could be the land referred to in the 1802 deed though GILBERT did not own the 100+ acre farm at that time. SARAH not only continued to live on the 100 acre farm after GILBERT passed away, she bought it as will be seen.

An Inventory, dated 26 February 1814, was done for GILBERT MALSBURY, deceased, *of Freehold Township*. His estate was valued at $371.40 by JOHN FORSYTH and THOMAS HARRIS and signed by JOHN FORSYTH on 26 February. This was *Affirmed* by JOSEPH HARRIS, *administrator*, on 28 February 1814. Monmouth County Court's Volume A of Administrations for the years 1804 – 1833 has a gap from December 1813 to December 1815, the time period when Letters of Administration would be granted for Gilbert's estate. The Inventory is difficult to read but hardly illegible as the printed transcript states.[6] The inventory (partial) is interesting to read:

Rye, one stack	30.00	Calves, 2	6.00	Hogs, 2	8.00
Rye, in ground	30.00	Horses, 2	100.00	Sheep, 3	30.00
Corn in crib	18.00	Table, chest & settee	6.00	Cows, 2	44.00
Potatoes	6.00	Plow & harness	6.00	Coal, 1 load	6.00
Geese & poultry	8.00	Shovels & forks	1.00	Wagon	15.00
Meat to cook	15.00	Flax & cotton	4.40	Bed & bedding	8.00
Chest, settee & cupboard	4.00	Soup, 1 tub	6.50		

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There appear three court filings in April 1814 pertaining to the guardianship of the children of GILBERT MALSBURY, deceased.[7] Two have his minor children PHEBE and WILLIAM, both over 14, nominate their mother SARAH as guardian. The third filing has the widow SARAH petitioning for guardianship of their four children under 14: ALICE, THOMAS, ABIGAIL and SARAH. The date of filing combined with the age of the children means that both older children were born between September 1798 and April 1800 which coincides closely with the information on JOHN SOUTHARD'S wife PHEBE MALSBURY who is believed to have been born on 25 May 1798.

On 5 May 1814 SARAH MALSBURY, widow of GILBERT bought the house and land *in Freehold Township* at the head of the *tarrkiln branch* for $180.33. This tract was 100.62 acres and was sold to her by THOMAS and RICHARD DEBOW, executors for JOHN DEBOW, deceased. At the time of the sale, the land was *in the actual possession of her, the said SARAH MALSBURY*.[8] She took a mortgage out the following day from the grantors for the full purchase price of the farm which was repayable according to the terms of a Bond bearing the same date. The mortgage on the farm was *cancelled* on 10 October 1826 but the record provides no additional information.[9]

In the January 1815 session of the Orphan's Court it was noticed that JOSEPH HARRIS, administrator of the estate, presented the accounting for the estate to the Surrogate's Court but final notice was held over to the following session pending verification of the advertising required by law to be completed by the Surrogate or the administrator. The following session of April 1815, the advertising requirement had been met and the estate was closed with the notation that there remained $236.00 *and one-half cent* in the administrator's possession. It was ordered to be disposed of *agreeably* by the administrator.[10]

SARAH, the widow of GILBERT MALSBURY, purchased 1 acre of property in Freehold Township on 28 October 1815 for $10.00 from the heirs of her father-in-law JOB MALSBURY, named as ISAAC, JOHN MERRICK and WILLIAM MALSBURY, in Monmouth County.[11] This was taken from a 121 acre tract that was *on the east side of the main north branch of Toms River*, thought to be in Jackson Township, Ocean County since 1850. This must have been near the other property which was on *south side of the main North Branch of Toms river.*

On 13 October 1821 SARAH MALSBURY, of Freehold Township, sold the 100+ acre tract, now at *the head of the Franklin branch* rather than *the tarrkiln branch*, to her son WILLIAM MALSBURY of Upper Freehold Township with all or part of the mortgage unpaid. This name change is easily explainable when looking at the actual penmanship in the record itself – *Tarrkiln* easily becomes *Franklin*. The deed states he paid $500.00 for the tract which is now said to contain 100.52 acres rather than 100.62 acres it contained when SARAH purchased it in 1814.[12]

SARAH'S death has not been found in the records checked but a property deed may indicate the event occurred before 1841. On the 6th of March in that year, her mother-in-law RACHAEL sold the 121-acre tract of land from which the 1 acre had been sold to SARAH in 1821. In that deed there is no mention made of the sale of 1 acre which could indicate that, by 1841, the 1 acre tract had been added back to the tract, quite possibly due to SARAH'S death since no deed of transfer has been found in the records. Perhaps they just conveniently overlooked this sale which negated the need to have the transfer of the 1 acre back recorded before the sale of the 121 acres. Of course this also carried the risk that a descendant of SARAH'S (like me for instance) would enter a claim for that 1 acre.

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One branch of the family would be centered near Clarksburg in Millstone Township as three properties are shown as being owned by two different MALSBURY'S in 1861.

ISSUE:[13]

1. **PHOEBE MALSBURY**: Married **JOHN SOUTHARD**, son of ABEL SOUTHARD. (See separate file)
2. WILLIAM G. MALSBURY: Married REBECCA between 1825 and 1833. Bought 100.52 acres from his mother on 13 October 1821 with the 1814 mortgage not fully repaid. WILLIAM sold this tract of 100.52 acres to MATHIAS ANDERSON for $200.00 on 11 October 1825; the mortgage from 1814 was paid off, *i.e.* cancelled, a year later. Then on 26 August 1833 WILLIAM, now with his wife REBECCA sold the same track but with the original 100.62 acres to MATHIAS ANDERSON again but for $250.00 this time.[14] The discrepancy of 0.10 acres in the recorded acreage when WILLIAM bought the tract from his mother may be the reason for the second deed poll as it establishes the acreage at 100.62. On 3 April 1845 he purchased 3.74 acres in Plumsted Township, then in Monmouth County, from BENJAMIN FOWLER FOR $20.00. The lot, with a house, was at the intersection of the Mount Holly Road and *the road from Cowards old Grist mill to Smiths old saw mill* near Prospertown.[15] WILLIAM died in Prospertown, Ocean County on 15 October 1853.[16] He died intestate and the Ocean County Orphan's Court appointed GILBERT MALSBURY as Administrator of the Estate on 26 November. More research is needed to ascertain just who this GILBERT was as none of the records in the estate docket give a hint. On 2 May 1854 the Court issued an Order to sell WILLIAM'S house and lot to cover his debts. On 16 September 1854 the property was put up for auction at the house in Plumsted Township with the winning bid of $325.00 being tendered by DAVID ELLISON. The estate was closed in January 1855 with a balance of 77¢ to be *distributed to the heirs according to law*.[17] The deed states that WILLIAM G. MALSBURY was from *Chesterfield Township*, Burlington County while ELLISON was from Dover Township of *the County aforesaid* (an obvious oversight as it is in Ocean County). ELLISON sold this to SARAH ASHTON on 6 April 1867 for $365.00.[18]
3. ALICE MALSBURY:
4. THOMAS MALSBURY: on 10 January 1829 in Monmouth County a THOMAS MALSBURY married MERCY CHAMBERLAIN. It is not established if this marriage was for this THOMAS.
5. ABIGAIL MALSBURY: married DANIEL EVERHAM on 16 November 1833. ABIGAIL died before 1860, DANIEL died 9 March 1892; both interred *Jacobstown Methodist Episcopal Cemetery*. 5 children, including ELLA who died at the age of 2 and is buried with parents.
6. SARAH MALSBURY: married JOHN ALBERT INGLING; living in Columbus, Burlington County in 1880. SARAH died 25 January 1881 in Mansfield, Burlington County. JOHN died in Columbus on 3 August 1883. Interred at *Columbus Cemetery*. 6 children.

Notes:

Richard Burges lived in Monmouth Co in 1693.

Burdg is a surname associated with the Malsbury family.

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Endnotes

[1] Monmouth County Marriages, Book A, p. 24.

[2] East Jersey Proprietors, Perth Amboy, Surveys, Book S13, Folio 188, 20 October 1802.

[3] Monmouth County Deeds, Book M, p. 498, dated 19 June 1801.

[4] Monmouth County Deeds, Book R, p. 136, recorded 26 January 1808.

[5] Monmouth County Probate File 8909M.

[6] Monmouth County Court, Gilbert Malsbury, estate of, File 9103M.

[7] Monmouth County Orphan's Court Minutes, Book E, pp 61-63

[8] Monmouth County Deeds, Book X, p. 193, recorded 7 May 1814.

[9] Monmouth County Mortgages, Book E, p. 420, recorded 7 May 1814.

[10] Monmouth County Orphan's Court, Minutes, Vol. E, pp. 131, 148.

[11] Monmouth County Deeds, Book O2, p. 117, recorded 25 July 1827.

[12] Monmouth County Deeds, Book D2, p. 470, recorded 16 October 1821.

[13] Information on children 2, 4-6 from Carolyn Jordan "Reid Family Tree," Ancestry.com

[14] Monmouth County Deeds, Book K2, p. 314, recorded 11 October 1825; and Book E3, page 160, recorded 9 September 1833.

[15] Monmouth County Deeds, Book S4, p. 276, recorded 6 February 1846.

[16] New Jersey Deaths and Burials, 1720-1988," database, *FamilySearch,* William Molsbuary, 15 Oct 1853; citing Prospertowne, Ocean, New Jersey, reference v AA p 271; FHL microfilm 584,577.

[17] Ocean County Surrogate's Court, Letters of Administration, Book 1, p. 12; Ocean County Orphan's Court, Minutes, Book 1, pp. 89, 91, 100, 106, 125, and 131.

[18] Ocean County Deeds, Book 9, p. 365, recorded 31 August 1855; Book 39, p. 79, recorded 7 May 1867.

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